

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

IN RE:

RUDY W. RENDEROS
DEBTOR

CHAPTER 11
CASE NO. 08-19080-JNF

**LIMITED OBJECTION AND RESERVATION OF RIGHTS OF
WELLS FARGO NATIONAL ASSOCIATION, AS TRUSTEE, TO
DEBTOR'S FIRST AMENDED DISCLOSURE STATEMENT**

Wells Fargo Bank, N.A., as Trustee (in such capacity, the "Trustee") for the Registered Holders of CBA Commercial Assets, Small Balance Commercial Mortgage Pass Through Certificates, Series 2005-1, by and through its attorneys, Nixon Peabody LLP, hereby files this Limited Objection and Reservation of Rights (the "Objection") with respect to the Debtor's First Amended Disclosure Statement dated September 24, 2009, which fails to provide adequate or accurate information concerning the Debtor's proposed plan of even date. In support of the Objection, the Limited Objection of the United States Trustee to Debtor's First Amended Disclosure Statement dated October 22, 2009 (Docket No. 119) (the "Limited Objection") is adopted and fully incorporated herein by reference.

RESERVATION OF RIGHTS

Debtor's counsel has indicated that amended documents will be filed shortly to address each issue stated in the Limited Objection. The Trustee reserves all rights regarding such issues, which are fully incorporated herein, as well as all rights regarding any proposed modifications to the Disclosure Statement, whether proposed by the Debtor or any other party. The Trustee, at this time, also reserves any and all objections it may have to confirmation of the Plan. Furthermore, nothing contained in this Objection constitutes a waiver of any of the Trustee's rights, nor is this Objection an admission with

respect to any matters contained in the Plan or the Disclosure Statement. Finally, the Trustee reserves its right to supplement or amend this Objection at any time prior to the hearing on the approval of the Disclosure Statement.

WHEREFORE, the Trustee respectfully requests that this Court:

- (i) deny the approval sought by the Debtor for the First Amended Disclosure Statement dated September 24, 2009; and
- (ii) grant the Trustee all other and further relief as this Court deems just and proper.

Respectfully submitted,

Wells Fargo Bank, N.A., solely as Trustee
By its Attorneys,

/s/ Lesley M. Varghese
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Dated: October 27, 2009

CERTIFICATE OF CONFERENCE

Pursuant to Bankruptcy Local Rule 3017-1b, I hereby certify as follows:

On October 27, 2009, I held a telephone conference with Attorney Herbert Weinberg, Counsel to the Debtor, to narrow the disputes concerning the adequacy of the Disclosure Statement; the disputes discussed are expected to be fully addressed. The foregoing Limited Objection and Reservation of Rights is being filed in an abundance of caution and in the absence of an opportunity to review Debtor's forthcoming Revisions to the Plan and First Amended Disclosure Statement.

/s/ Lesley M. Varghese
Lesley M. Varghese, Esq. (BBO # 668804)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on October 27, 2009, a copy of the foregoing was served on all parties registered to receive notices and pleadings in the above-captioned case via ECF, or by United States mail, First Class postage pre-paid to all parties not receiving electronic mailings as identified on the Notice of Electronic Filing.

/s/ Lesley M. Varghese

Dated: October 27, 2009